

Proceeding: IN THE MATTER OF TELECOMMUNICATIONS RELAY SERVICES AND SPE ☐ Record 1 of 1

Applicant Name: Leo A, LaPointe

Proceeding Name: 98-67

Author Name:

Lawfirm Name:

Contact Name: applicant_name

Contact Email: llapoint@columbus.rr.com

Address Line 1: 49 Highland Ter

Address Line 2:

City: Worthington

State: OH ☐

Zip Code: 43086 Postal Code:

Submission Type: CO ☐

Submission Status: ACCEPTED ☐

Viewing Status: UNRESTRICTED ☐

Subject:

DA Number:

Exparte Late Filed: File Number:

Calendar Date Filed: 07/14/1998 7:52:02 AM

Date Disseminated:

Official Date Filed: 07/14/1998

Filed From: INTERNET

Confirmation # 1998714872688

DOCKET FILE COPY ORIGINAL

INTERNET FILING

98-67

7-14-1998

July 14, 1998

To the FCC Commissioners and Staff

Re: NPRM 98-67 re Relay Services

I am a moderately severe hard of hearing person (most of my adult years) who is very concerned about the harsh impact that the interactive voice menus have on me and I am sure millions of others with moderate to profound hearing impaired persons.

I am a retired CPA (72 years old) who for many years found that calling unknown persons and business organizations with only modest difficulty. For the last 10 years since voice menus came more and more in use, I have found myself almost always frustrated and all too often shut out from completing a call.

I have two main things to discuss in this comments presentation to your office and I have already mentioned the first.

Area One:

Because the voice menu problem has already been commented upon by me in response to NPRM 96-198, the same comments pretty much apply to this NPRM and I will show this part concerning voice menus below after these additional comments.

I feel strongly that the hard of hearing and the deaf have a common interest in having you finalize our rulings concerning "enhanced service" in a positive manner for us. And your final rules must be to consider that Congress in its entirety and especially in principle did intend to mandate access to enhanced services (particularly the part pertaining to interactive voice menus and other information calls such as those depositors **and** insureds make to their financial institutions. I am offering the following for your consideration:

The footnote 108 to paragraph 45 refers to House Report No. IO I-485 etc.. Did the Senate really go along with this'? If no comments by the Senate were made, this may be considered as an interpretative issue. When one considers the intent of Sec. 255 to be to allow access for the disabled in substance to approach that of the non-disabled, the interpretation undercuts the very spirit of the law. In this connection I take strong exception to the wording in the paragraph where it states "may present substantial barriers to TRS users" . My own personal experiences tell me **they are**. You know if you are a wheel chair user and cannot access a store to transact business because of physical barriers, the ADA laws have greatly alleviated this such people. The access denial is just as real for those stymied by voice menus etc. and the laws should be interpreted to remove this barrier as well.

For whatever it may be worth in persuading you to disregard your present thinking I call to your attention that the FCC does have authority I believe to punish telephone caller/users who speak in a harassing manner. I certainly feel harassed when I make certain calls that are way to fast for me to comprehend them.

Finally as far as what are "enhanced services", I am not fully acquainted with what theses may consist but I would question what is "enhanced" about **being** unable to comprehend something that should be so basic.

As I have recommended in my comments Corning NPRM 96-198 please find it appropriate that **users** of voice menus and other "enhanced services" be required to allow us to talk to a human by way of an automatic out and provide for one or more slower voiced menus. You may disregard my earlier questions as to how/why the FCC did not feel it has authority to include "enhanced services" under its jurisdiction. I think I now have a better understanding.

If you continue to believe authority does exist, please help us to get Congress to give the authority. At this time I personally do not know enough about "pay-per-call services" **to make** a comment.

Beginning of my comments in Proceeding 96-198:

"Enhanced services" under the proposed rules are excluded from coverage under Section 255. Most of these services are very commonly used and include voice mail and automated voice response systems-both of which are inaccessible to many people with hearing loss. I believe Congress would not have intended to leave out these services. Doing this undermines the very purpose of the law.

I will appreciate it greatly if someone from your staff will send to me the rational why it is believed that "enhanced services", and especially the automated voice menus part, are not included under section 255. Being a layman it is sometimes difficult to understand things. Is it perhaps because the Telecommunications act applies to manufacturers and service providers and not the manner in which the end user of telecommunications equipment might use such equipment and services?. Is the matter an issue that likely is covered by the ADA laws ? If no laws presently exist that can be applied to require end users to be more accommodative to the hard of hearing would new law be includible as amendments to section 255 or includible under the ADA provisions ? In any event please do whatever is helpful to the hard of hearing.

Is it likely that how the manufacturers and service providers when acting as end users would use the product, i.e. the manufactured equipment could be required to provide an "automatic out"?. If so, then why would not other users also be subject. I guess this whole thing has me confused or maybe I have really got to the core of the matter. I will appreciate being enlightened.

I strongly believe that automated voice response systems which are classed as "enhanced services" should be regulated so that they are made as accessible as possible. At present millions of hard of hearing people who use voice telephones find them difficult to use. Also the systems cannot be accessed by TTY relay services because of the short time the operator has to type the choice so the relay caller can respond.

Before voice menu technology became popular this was not a problem. Why should a simple "improvement" in technology helpful in labor savings to so many organizations be a step backward for the hard of hearing and deaf ? It should not! Some of the labor savings should rightly be offset by whatever increased costs that the automatic out may cause. I find myself increasingly wanting to avoid making calls to entities that may have the automatic voice menus and therefore spend a lot of time trying to learn things on my own without making calls. How much simpler it could be to get the information I seek if only I could navigate the voice menus. It is too bad the great majority have them.

I refer you to a recent "Dilbert" cartoon on which the following sentences appears: "I'm having a severe case of telephone shyness". "I'm afraid to pick up the phone and make business calls". "I'll duck into a restroom stall until the shyness passes". Well in my case and millions of others the shyness doesn't pass very much.

In my earlier efforts to drum up support from the general public for seeking improvements I found it very easy to obtain signatures upon advising a prospect what it was I was concerned about. In other words I was learning from normal hearing how frustrating the voice menus were for them. This should be convincing evidence that improvements must be done. A good way for this to happen will be if the FCC includes at least this part of "services" as basic.

A very good procedure for the FCC to provide is that voice menus must always allow an option for an "automatic out" that connects to a real live person.

In keeping with the spirit of other ADA provisions this requirement could be mandatory for large companies.

Another procedure I believe could be adopted in conjunction with the "automatic out" is to provide an option for the caller to hear the same menu choices as the main body of choices at approximately twice as slow as the main one. (What I am suggesting is a system that is similar to what many organizations use for their Spanish speaking callers except the voices menus are spoken in Spanish rather than in a slow manner.)

I think it would be nice if an even slower version could be made available if the caller requests it.

As a part of the slow voices choice the "automatic out" could be offered and maybe the normal hearing callers will be less likely to "take advantage" if no earlier choice for an out is mentioned

Now I know some will say that if you just hold on to the line long enough, a live person will come on line. This is not true in all too many cases so why not accommodate this having all of them used by large organizations by simply pressing "0" and making it a requirement for all users (callees) of such voice menu systems. Keep in mind there are a lot of them that have two and three tiers of menu choices and the end result often is to cut the caller off if he has not pressed a keypad item soon enough.

While I may be generalizing from the specific, I had one large company I called that took me probably four times longer to navigate as it would for a normal hearing person. During the course of this series of calls the representative I talked with said I should call a certain number for the hearing impaired (I had complained that I was having difficulty comprehending others within the same organization). When I called this number no one answered at all. I later learned the number was for TTY calls that the deaf use. I am not deaf. This happened with other organizations as well. When I wrote a letter of complaint with suggestions on how it could improve its telephone services I never received a reply.

What I am suggesting is that little or no improvements will ensue unless the users of voice menu systems are faced with regulations and perhaps new law provisions that require them to do better.

I would like for readers of this letter to be aware of how much "dead time" is already built into so many calls we make. "Dead time" refers to the frequent amount of music, some advertising, and the phrase "we are presently busy with other calls -----". To my way of thinking, asking for a slower and therefore more time consuming procedure, is not asking for very much at all under the circumstances.

Regarding voice mail accessibility, I don't have any technologic suggestion to make except to say it would be helpful if telephones had a slow down feature similar to some answering machines and playbacks on some recorders. I am aware of some telephone reading service for low-vision people that permits a range of slower playing of the readings by pressing a key on the telephone pad. Perhaps the voice mail systems should have the feature built into them that the caller can hear the greeting messages much slower by pressing the one key or the pound key (also to hear a repeat by pressing "0").

Whether any of the above are feasible for inclusion with modestly priced telephones and equipment, I don't know but to automatically consider voice mail systems as "enhanced services" is a mistake in that it precludes what might eventually become useful features for the hard of hearing and some normal hearing people..

I would urge any educational programs that the FCC might eventually undertake, to teach users of all telecommunications devices and systems to always speak clearly which means in most cases to speak slower. This would be helpful to everyone because even normal hearing have difficulty when voices go too fast. If such educational programs are ever undertaken it could include a standardized list of words to represent each character of the alphabet like Adam for "A", Boston for "B" and so forth. This is especially useful regarding names and addresses. For example, many technical support persons are especially hard to understand. Now this education area may be outside the scope of law but if it could in some manner come to pass things would be better for us all.

This matter of "enhanced services" is a very critical access issue under Section 255 and leaving out such services severely limits educational and employment opportunities and interferes with full participation in today's society.

I also call to attention that many financial and life insurance institutions are providing telephone information regarding a callers accounts as to balances, current values and so forth. I have personally had difficulties with these because they request information too rapidly. Why should hard of hearing be denied this valuable service ? If the FCC does not mandate an option to hear the questions in a slower manner because these are "enhanced services" we are effectively locked out.

Another area that will be requiring attention in the near future is the greater use of voicing over the Internet as more advertising and other programming takes place (a large part of it likely will be interactive). Thus, "closed captions (or open) should be displayed in accompaniments. It this area as it presently seems likely under the NPRM will be outside of section 2.55, then I fear a great disservice to the hard of hearing will occur.

Please keep in mind that our hard of hearing people are increasing.

While I have written a lengthy letter I hope you will consider the difficulties we hard of hearing are coping with.

Area Two:

re Tele-communications Relay Services and Speech-To-Speech Services For Individuals With Hearing and Speech Disabilities

About fourteen months ago I submitted to the Ohio Relay Services when it was operated by Ameritech the following presentation (with some modifications herewith). I did not receive a reply perhaps because the readers did not feel it was within their purview. I certainly seems to me that your office could undertake a study of it and seek comments where appropriate. I believed then as now this suggestion has merit. Please review this and let me hear from you and other comments are welcome as well.

COMPARISON OF TWO LINE VOICE CARRY OVER WITH 3 - WAY CALLING and arguments for 3 - way calling be made available by state relay services

Please note: CA = The Call Assistant

GA = Go Ahead"

ORS = Ohio Relay Service or any other one.

H of H = Hard of hearing people.

AITCS's= Automated Integrated Tele-Communications Systems

VCO= Voice Carry-Over

TWO LINE VOICE CARRY-OVER

(this data is based on an article by ORS).

DEFINITION:

Two line VCO allows a person to speak interactively without saying "GA". This feature is ideal for settings with 2 or more phone lines.

EQUIPMENT:

DirectConnect TTY or PC with its own phone number
Voice telephone number
Conference calling or 3-way calling on the voice number

MAKING A CALL

1. Dial 1-800-750-0750 on your TT Y
2. Type to CA that this to be a "2-Line VCO" call.
Instruct CA to call your voice number,
3. CA will dial your voice number-answer your voice line with your voice. Tell CA to hold and type only the other person's voice after you conference him/her in.

3 -WAY VOICE CALLING

(this data is a composition by Leo A.LaPointe)

DEFINITION:

3 - WAY Calling allows a caller to speak interactively with a 3rd party and CA

EQUIPMENT:

Voice telephone. The 3-Way Calling feature is now available with Ameritech - see advertisement attached.

MAKING A CALL

1. Call your desired 3rd party (a friend, business organization etc.)
Once you are both on line explain that a CA will be helping you because of your handicap and to please wait a moment.
2. Quickly press the receiver button (this can be the flash

4. Press "HOLD" on your voice phone.
 5. From your voice phone, dial the number of the person you want to talk to.
 6. Press "conference" immediately on your voice phone.
 7. When the person answers, CA will start typing the Person's spoken words to you.
- ORS will not be identified or explained by CA.
You will be speaking directly to the person called-there is no need to either person to wait for a GA.
CA will be invisible,

RECEIVING A CALL:

1. Call comes in on your voice line.
2. Answer the call with your voice-ask the caller to hold for ORS.
3. Place voice caller on hold, then dial I-800-750-0750 on this voice line.
4. Speak immediately when the CA answers, instructing CA to call your TTY number.
5. Answer the TTY line (typing), then conference in the voice caller on the voice line. (ORS will not be identified or explained by CA.
6. You will speak directly to the caller-there is no need for either person to wait for a GA..
CA will be invisible.

ADVANTAGES:

Especially useful to H of H whose voice comprehension on phones is quite weak but has adequate speaking skills.

I would think there are considerable times when the CA must intervene and the 3rd person would be frustrated in having to wait until the H of H has been able to grasp the meaning of what is shown on the TTY or PC screen. Of course it is good that the H of H can hopefully comprehend part of the voicing. However to the extent he can adequately understand the 3rd party the more likely the use of **3-Way** Calling will be a better option

DISADVANTAGES Of 2 Line VCO::

The procedures to use are more complex as indicated by the above, 13 steps compared to 6 or 7 as compared for **3-Way** Calling.
The cost of having a second phone can be 4-5 times as much as **3-Way** Calling.
For some H of H who hear reasonably well the extra time that many of the calls can take is an inconvenience. (especially if the **3-Way** Calling is available.

DISADVANTAGES of 3-WAY CALLING:

Some of the H of H will find the cost to be difficult to meet. However in comparison to 2 Line VCO many more can find it affordable which leads me to the comments as follows:

Because **3-Way** Calling is available to the general public, it can be used by ORS.
Since the cost of ORS is underwritten by the public, this could be an additional modest cost to also absorbed by ORS.

It is even possible there is a net savings due to shorter on line time periods.

Additional Comments concerning advantages re Interactive voice menus:

- or link button on many phones).
3. Dial I-800-750-0750 and voice to CA that this is to be a **3-Way** Call. Then repeat Item 2.
Now you should all be able to talk, As the ad states: Just "click, dial, and click". Now you're talking.
See other instructions in the ad.
CA should be familiar with the Alpha system for helping with names and addresses.

RECEIVING A CALL:

1. Call comes in on your voice line.
2. Tell the caller you are hard of hearing etc. and are going **activate 3-Way** Calling to include CA to assist you.
Now follow item 2 instruction for **MAKING A CALL**.
3. Dial I-800-750-0750 and voice to CA that this is to be a **3-Way** Call and 3rd party is already on line..

Now you should all be able to talk and CA will explain who she works for and she will only interrupt when the hard of hearing person says "please repeat".
CA should be familiar with the Alpha system for helping with names and addresses.

ADVANTAGES:

Especially useful to H of H whose phone voice comprehension is good except for accents, rapid speech etc., and has adequate speaking skills.

CA will be relatively invisible, hopefully, depending on rapid speech etc. The fact CA is in the background will encourage many to speak better and slower, It is believed the 3rd party will be less frustrated because he/she will be able to hear the words of the CA **and able to check on their** accuracy, comprehend part of the voicing. However to the extent he can adequately understand the 3rd party the more likely the use of **3-Way** Calling will be a better option.

The procedures to use are less complex.

See opposite comment.

See opposite comment.

See additional comments re AITCS's conclusion.

When the H of H wishes to make calls re 800/888 and/or suspects the interactive voice menus to be likely he/she may call the ORS and inform CA of his/her

wish to be called back after the CA calls the number and becomes familiar with the menu choices. The CA will then inform the caller of the choices and the H of H will activate the call to the 3rd party. The CA will be available thereafter to assist as necessary.

This can be done very easily for local or 800/888 calls and the H of H would not be charged. This would really be an ADVANTAGE to the H of H.

For long distance charge settings there may be some way that Ameritech can bill the appropriate cost. I hope this can be resolved ????

CONCLUSION:

I believe the suggestions have considerable merit and deserve to be tried out by at least one of the state relay services.

I believe the Speech to speech service should be freely available to the hearing impaired as well as the speech disabled.

Thanks for all that you do.

Very truly yours

Leo A. LaPointe
49 Highland Terrace
Worthington, Ohio 43085
614-888-0921
E-mail: llapoint@columbus.rr.com